UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,323	01/22/2004	Srikumar Chari	50325-0828	8170

29989	7590	02/22/2007		EXAMINER

HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

EXAMINER
LONG, ANDREA NATAE

ART UNIT	PAPER NUMBER
2176	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/764,323	CHARI ET AL.
	Examiner	**Art Unit**	
	Andrea N. Long	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

.A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 January 2004</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-22</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>08/09/2004</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-22 have been examined in response to application filed 01/22/2004.

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 18, 21, and 22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 18, 21, and 22 recite "a machine-readable medium carrying one or more sequences of instructions". The Applicant's specification states that an acceptable form of a computer readable medium includes a carrier wave or infrared (signals). Carrie waves and signals do not fall within one of the four categories (process, machine, manufacture, or composition of matter) of patent eligible subject matter.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3.   **Claims 1, 2, 4, 5, 9-11, and 14 are rejected under 35 U.S.C. 102(a) as being anticipated by Kyon Holman (Dell OpenManage Network Manager, November 17, 2003), hereinafter "Dell".**

As to independent claim 1, Dell teaches a method for integrated audit and configuration comprising the computer-implemented steps of:

receiving a request from a user to analyze first configuration information with a second set of configuration information; receiving the first configuration information (page 18, Figure 9 → taught as user being able to select two files from a list of files and selecting the compare button);

analyzing one or more parameters of the first configuration information with the second set of configuration information to result in creating and storing comparison information; displaying the comparison information (page 18, Figure 10 → taught as the result of selecting the compare button, the information within each configuration file is compared with each other by displaying a side by side comparison of the two configuration files);

choosing one or more action mechanisms to provide to the user for each of then one or more parameters based on the comparison information; and enabling the user to perform one or more actions associated with the one or more action mechanisms (page 18, Figure 10 → taught as the "<<" and ">>" buttons which allow the user to navigate through the difference between the two files).

As to dependent claim 2, Dell teaches where the second set of configuration

information comprises a set of one or more parameter values; and where the step of

analyzing one or more parameters of the first confirmation information comprises

comparing the values of the one or more parameters in the first configuration

information with corresponding parameter values from the set of one or more parameter

values from the second set of configuration information (page 18 and 19, Figure 10

→ taught as comparing the first configuration file with the second configuration file and

highlighting parameters that are different).

As to dependent claim 4, Dell teaches where the actions comprise user input

actions and the action mechanisms comprise a user input action mechanism (page 18

→ taught as the user selecting buttons to compare and navigate through configuration

files).

As to dependent claim 5, Dell teaches receiving a second request from the

user to perform one action of the one or more actions; and performing the one action

(page 18 → taught as the user selecting actions to format, highlight differences and

change the views of the configuration files).

As to dependent claim 9, Dell teaches where the first configuration information

comprises the configuration for a configurable system; the configurable system includes

one or more configurable devices (switches); and the first configuration information is

for each of the one or more configurable devices; and where the step of receiving the

first configuration information comprises obtaining the first configuration information for each of the one or more configurable devices (page 18 and 19).

As to dependent claim 10, note the discussion above, Dell teaches where the second set of configuration information is one set of second configuration information; and where the method further comprises the step of selecting the second set of configuration information based on the request from the user (page 18).

As to dependent claim 11, note the discussion above, Dell teaches where the second set of configuration information is one set of second configuration information; and where the method further comprises the step of selecting the second set of configuration information based on one or more sets of configuration information for a device to be configured (page 18).

As to dependent claim 14, Dell teaches where the one or more actions comprise one or more user input actions, and the one or more action mechanisms comprise one or more user input action mechanisms, and where the step of performing the action associated with a particular user input action mechanism comprises the steps of: obtaining user input for a parameter value associated with the particular user input action mechanism; and changing the parameter value associated with the particular user input action mechanism based on the user input (page 18 → taught as the user selecting buttons to compare and navigate through configuration files).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dell in view of Blakely-Fogel et al (US Patent 4864492), hereinafter "Blakely-

Fogel".

As to dependent claim 3, Dell teaches a second set of configuration

information and where the step of analyzing one or more parameters of the first

confirmation information comprises analyzing the one or more parameters of the first

configuration information with the second configuration. However, Dell does not teach

where the second set of configuration information comprises a set of one or more rules;

and where the step of analyzing one or more parameters of the first confirmation

information comprises analyzing the one or more parameters of the first configuration

information with respect to the set of one or more rules. Blakely-Fogel teaches a

knowledge base within a configuration system which contains rules for a specific

network environment, interdependencies of user parameters, references and integrity,

values such as limits and defaults (column 2 lines 18-25).

It would have been obvious to one skilled in the art at the time the invention was

made to have used a configuration file with rules to analyze another configuration file to

exclude the user having to have personal knowledge of protocols of the network architecture and allows a user to configure a complex program in order to establish communications over a network (column 1 line 68 to column 2 line 2, column 2 lines 65-68).

As to dependent claim 13, Dell teaches one or more actions. However Dell does not teach where the one or more actions comprise one or more fix actions, and the one or more action mechanisms comprise one or more fix action mechanisms, and where the step of performing the action associated with the fix action mechanism comprises changing a parameter value associated with a particular fix action mechanism based on a corresponding parameter value in the second set of configuration information. Blakely-Fogel teaches after the user selecting to compare the configuration file with a knowledge base, a user interface is presented to display knowledge needed to correct the errors.

It would have been obvious to one skilled in the art at the time the invention was made to have combined the fix action mechanism with changing a parameter value to allow the program to easily be maintained and debugged.

6.   **Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dell in view of Kraft, IV (US Patent 6880107 B1), hereinafter "Kraft".**

As to dependent claim 6, Dell teaches where the second request is one of one

or more requests to perform actions, and where the method further comprises the step

of performing the one or more corresponding actions based on the one or more

requests to perform actions (page 18 → taught as the user selecting actions to format,

highlight differences and change the views of the configuration files). However, Dell

does not teach where performing the one or more corresponding actions

comprises constructing new configuration information based on the first configuration

information and each action. Kraft teaches and authoring or editing tool that allows a

user to modify a configuration file to reflect on the modification of another configuration

file (column 2 lines 34-36).

It would have been obvious to one skilled in the art at the time the invention was

made to have combined the configuration file of Dell with the modification and the

constructing of a new file of Kraft to insure that the configuration files are maintained

with appropriate format, syntax, and parameter values (column 2 lines 40-42).

7.   **Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Dell in view of Kraft in further view of Blakely-Fogel.

As to dependent claim 7, note the discussion above, Dell as modified by Kraft

teaches a new configuration file and displaying a summary of problems. However Dell

as modified by Kraft does not teach checking the new configuration against an object

model of acceptable configurations; if the changes are not acceptable, displaying a summary of problems. Blakely-Fogel teaches a knowledge base within a configuration system which contains rules for a specific network environment, interdependencies of user parameters, references and integrity, values such as limits and defaults (column 2 lines 18-25).

It would have been obvious to one skilled in the art at the time the invention was made to have used a configuration file with rules to analyze another configuration file to exclude the user having to have personal knowledge of protocols of the network architecture and allows a user to configure a complex program in order to establish communications over a network (column 1 line 68 to column 2 line 2, column 2 lines 65-68).

As to dependent claim 8, note the discussion above, Dell as modified by Kraft teaches a new configuration is the configuration for a configurable system (column 2 lines 34-36), the configurable system includes one or more configurable devices; and where the method further comprises the steps of column 1 line 65 through column 2 line 2). However Dell as modified by Kraft does not teach receiving a third request to submit the changes, checking the new configuration information against an object model of acceptable configurations, and if the changes are acceptable, configuring the configurable system. Blakely-Fogel teaches comparing a configuration file with a knowledge base and the information within the configuration file has to be correct in order for the system to configure (column 4 lines 3-22).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the new configuration file of Dell as modified by Kraft with the knowledge base of Blakely-Fogel to maintain the integrity of the configuration file and which allows programs to be easier to maintain and easier to debug (column 2 lines 55-58 and column 4 lines 21-22).

8.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dell in view of Ames et al (US Patent 6151567), hereinafter "Ames".

As to dependent claim 12, Dell teaches one or more actions. However, Dell does not teach toggle actions. Ames teaches toggle actions, and toggle action mechanisms, and where the step of performing the action associated with a particular toggle action mechanism comprises changing a parameter value associated with the particular toggle action mechanism (column 16 lines 28-41 → taught as user toggling between parameters to update the parameters)

It would have been obvious to one skilled in the art at the time the invention was made to have combined the actions of Dell to include toggling of Ames to allow complete flexibility of the configuration file parameters (column 16 lines 37-41).

9.   **Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dell in view of Andrade et al (US Patent 7024660 B2), hereinafter "Andrade".**

As to dependent claim 15, Dell teaches actions and mechanisms. However, Dell does not teach where the actions comprise a wizard action, and action mechanisms comprise one or more wizard action mechanisms, and where the step of performing the action associated with a particular wizard action mechanism comprises the step of running a wizard associated with the particular wizard action mechanism. Andrade teaches a configuration wizard that receives user inputs to lead user through the configuration process (column 12 lines 20-28).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the configuration system of Dell with the configuration wizard of Andrade to bridge the gap between ease and flexibility (column 13 lines 24-26).

10.   **Claims 16 and 18-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Dell in view of Blakely-Fogel in further view of Kraft.**

As to independent claim 16, Dell teaches a method for integrated audit and configuration comprising the steps of:

receiving a request from a user to analyze first configuration information with a

second set of configuration information, obtaining the first configuration information,

and receiving the first configuration information (page 18, Figure 9 → taught as user

being able to select two files from a list of files and selecting the compare button).

analyzing one or more parameters of the first configuration information with the

second set of configuration information to result in creating and storing comparison

information and displaying the comparison information (page 18, Figure 10 → taught as

the result of selecting the compare button, the information within each configuration file

is compared with each other by displaying a side by side comparison of the two

configuration files);

choosing one or more action mechanisms to provide to the user for each of the

one or more parameters based on the comparison information, enabling the user to

perform one or more actions associated with the one or more action mechanisms (page

18, Figure 10 → taught as the "<<" and ">>" buttons which allow the user to navigate

through the difference between the two files);

receiving a second request from the user to perform one action of the one or

more actions (page 18 → taught as the user selecting actions to format, highlight

differences and change the views of the configuration files). However Dell does not

teach where the second set of configuration information comprises a set of one or more

rules ; and where the step of analyzing one or more parameters of the first confirmation

information comprises analyzing the one or more parameters of the first configuration

information with respect to the set of one or more rules and performing the one action,
where performing the action comprises constructing new configuration information
based on the first configuration information and the one action. Blakely-Fogel teaches a
knowledge base within a configuration system which contains rules for a specific
network environment, interdependencies of user parameters, references and integrity,
values such as limits and defaults (column 2 lines 18-25). Kraft teaches and authoring
or editing tool that allows a user to modify a configuration file to reflect on the
modification of another configuration file (column 2 lines 34-36).

It would have been obvious to one skilled in the art at the time the invention was
made to have combine the comparing configuration system of Dell and the knowledge
base of Blakely-Fogel with the new configuration of Kraft to exclude the user having to
have personal knowledge of protocols of the network architecture and allows a user to
configure a complex program in order to establish communications over a network
(column 1 line 68 to column 2 line 2, column 2 lines 65-68, of Blakely Fogel) and to
insure that the configuration files are maintained with appropriate format, syntax, and
parameter values (column 2 lines 40-42, of Kraft)

As to independent claims 18, 19, 20 and 21 are rejected under the same
rationale as claim 16.

11.   Claims 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chris Hardie (Computer Security Audit Checklist, 2003), hereinafter "Hardie"

in view of Dell in further view of Blakely-Fogel in further view of Kraft.

As to independent claim 17, Hardie teaches a method providing an integrated

security audit and security configuration for a network device (page 1). However,

Hardie does not teach the below mentioned computer implemented steps. Dell teaches

receiving a request from a user to analyze first configuration information with a second

set of configuration information, obtaining the first configuration information, and

receiving the first configuration information (page 18, Figure 9 → taught as user being

able to select two files from a list of files and selecting the compare button).

analyzing one or more parameters of the first configuration information with the

second set of configuration information to result in creating and storing comparison

information and displaying the comparison information (page 18, Figure 10 → taught as

the result of selecting the compare button, the information within each configuration file

is compared with each other by displaying a side by side comparison of the two

configuration files);

choosing one or more action mechanisms to provide to the user for each of the

one or more parameters based on the comparison information, enabling the user to

perform one or more actions associated with the one or more action mechanisms (page

18, Figure 10 → taught as the "<<" and ">>" buttons which allow the user to navigate

through the difference between the two files);

receiving a second request from the user to perform one action of the one or

more actions (page 18 → taught as the user selecting actions to format, highlight

differences and change the views of the configuration files). However Dell does not

teach where the second set of configuration information comprises a set of one or more

rules ; and where the step of analyzing one or more parameters of the first confirmation

information comprises analyzing the one or more parameters of the first configuration

information with respect to the set of one or more rules and performing the one action,

where performing the action comprises constructing new configuration information

based on the first configuration information and the one action. Blakely-Fogel teaches a

knowledge base within a configuration system which contains rules for a specific

network environment, interdependencies of user parameters, references and integrity,

values such as limits and defaults (column 2 lines 18-25). Kraft teaches and authoring

or editing tool that allows a user to modify a configuration file to reflect on the

modification of another configuration file (column 2 lines 34-36).

It would have been obvious to one skilled in the art at the time the invention was

made to have a security audit and security configuration system which includes the

comparing configuration system of Dell and the knowledge base of Blakely-Fogel with

the new configuration of Kraft to exclude the user having to have personal knowledge of

protocols of the network architecture and allows a user to configure a complex program

in order to establish communications over a network (column 1 line 68 to column 2 line 2, column 2 lines 65-68, of Blakely Fogel) and to insure that the configuration files are maintained with appropriate format, syntax, and parameter values (column 2 lines 40-42, of Kraft) and to provide a detailed, action-oriented report, empowering the user with insight and advice you need to bring an application security under control.

As to independent claim 22 is rejected under the same rationale as claim 17.

Conclusion

12.   The prior art made of record on Form PTO 892 and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
02/17/2007

WILLIAM BASHORE
PRIMARY EXAMINER